

**SPECIAL MAGISTRATE HEARING  
1<sup>st</sup> FLOOR COMMISSION CHAMBERS  
FORT LAUDERDALE CITY HALL  
ROSE-ANN FLYNN PRESIDING  
JUNE 2, 2016  
9:00 A.M.**

**Staff Present:**

Mary Allman, Secretary, Special Magistrate  
Peggy Burks, Clerk III  
Yvette Cross-Spencer, Clerk III  
Diana Cahill, Administrative Aide  
AnnMarie Lopez, Clerk III  
Porshia Goldwire, Clerk, Special Magistrate  
Geneva Williams, Clerk III  
Stacey Gordon, Clerk III  
Rhonda Hasan, Assistant City Attorney  
Jose Abin, Building Inspector  
Frank Arrigoni, Building Inspector  
George Oliva, Chief Building Inspector  
Jessica Epley, Code Compliance Officer  
Ingrid Gottlieb, Senior Code Compliance Officer  
Linda Holloway, Code Compliance Officer  
Shelly Hullett, Code Compliance Officer  
Captain Robert Kisarewich, Fire Inspector  
Wilson Quintero, Code Compliance Officer  
John Suarez, Code Compliance Officer  
Lisa Edmondson, Prototype Inc.

**Respondents and witnesses**

CE16050238: Margaret Arneson, attorney; Maria Wilkinson, owner  
CE15111179: Nathaly LaFontant, property manager  
CE15100984: Iris Walker, owner  
CE16010034: Clarence Edewaard, owner's father  
CE16031526: Goran Dragoslavic, owner  
CE16031789: Leonor Christensen, owner; Ronald Christensen, owner; Ronald Lux, neighbor  
CE16031042: George Niarchos, owner  
CE15080767; CE15080773; CE15080775: Jean Costa, attorney; Derrick Roberts, contractor; Sidney Bigham III, representative  
CE15092183: Karen Coppin, estate executrix  
CE16020283: Ryan Emmer, owner  
CE15100733: James Ahrens, owner  
CE15101194: Thomas Funkey, owner's brother

CE16010136: Milano Costello, owner  
CE15101073: Walter Johnson Jr., owner  
CE15102377: David Fernandez, representative  
CE15121922: Richard Leydig, attorney; Tricia Polit, neighbor; Bonnie Unsworth, neighbor; Allen Shore, attorney  
CE16031111: Andres Conde, owner's nephew  
CE15110756: Monica Solsana, owner  
CE16010833: Westley Holden, attorney  
CE16032128: Alvin Lewis, owner  
CE15101872: Steven Thompson, representative  
CE16010143; CE16010144: Ruth Fernandez, owner; Andrew Siegel, witness; Walter Campbell Jr., attorney  
CE15100184: Herman Castand, general contractor; Gavin Caddy, attorney  
CE16032287: Shlomo Rashabi, manager  
CE16031152: Jason Silver, attorney  
CE16011134: Alisha Eutsey, property manager  
CE15091373: Abaco Belin, previous owner  
CE16010415: Timothy McMahon Jr., owner  
CE13120797: George Vallario, neighbor; David Sexton, owner; Parus Constantine, general contractor; Angelica Grab, tenant  
CE07091428; CE10062712; CE11121701; CE12060684; CE14072211; CE14072212;  
CE15071079: Jason Silver, attorney  
CE14032296: Elias Delgado, the owner's father-in-law  
CE08101831: Mack Young, property manager  
CE11100061: Tom Courtney, attorney for the Archdiocese of Miami  
CE12041556: Michael Clark, attorney  
CE15061074: Mohammed Haroon, owner  
CE15061893: Steve Frazer, attorney  
CE11010735; CE14061937; CE11051172; CE11110442; CE11080868; CE12041543;  
CE12061496; CE15010617; CE11010622; CE12111523: Hipolito Santiago, property manager  
CE10121294; CE11051952; CE11082709; CE11000830; CE12110561; CE14111487;  
CE15021231; CE15061069; CE13111568; CE14051452; CE15041118: Dorin Frai, real estate agent

NOTE: All individuals who presented information to the Special Magistrate during these proceedings were sworn in.

The meeting was called to order at 9:00 A.M.

**Case: CE15121922**

Ordered to re-appear

1725 SW 5 ST

PEDELTY, JEFFREY J & PEDELTY, PETER

This case was first heard on 2/18/16 to comply by 3/31/16. Violations and extensions were as noted in the agenda. The property was not in compliance and the City was requesting imposition of an \$8,400 fine, which would continue to accrue until the property was in compliance.

Jose Abin, Building Inspector, requested a continuance until Ms. Hasan arrived and Ms. Flynn agreed.

Upon returning to the case, Inspector Abin reported there had been no progress or compliance with any of the stipulations when the case was first heard. He recommended ordering the building vacated within 15 days and for the City to demolish the structure in 30 days.

Allen Shore, attorney, said based on the April 21 hearing, they had made representations to the buyer's title company that a Special Magistrate's Order would be forthcoming regarding the issues. The closing had been scheduled for May 10, all of the seller's documents had been provided to the title company and the buyer had delivered the proceeds, but they still had no Special Magistrate's Order, so the buyer would not close. The Special Magistrate's Order was notarized on May 13 and the title company was not convinced the Order was complete and requested a follow-up letter from the City, which had been issued on May 17. Left out of the documentation were the timeline for the renovation and the structural engineering report.

Ms. Flynn did not understand why her first Order had been insufficient and Richard Leydig, attorney, stated there was supposed to be an abatement of a \$300 per day fine from a February hearing before they identified a purchaser for the house. The title company underwriter would not accept a letter from the City of Fort Lauderdale unless it was personally from Ms. Flynn. He explained that Ms. Flynn had ordered the \$300 per day fine would be abated but "the burden of who was supposed to do what was not delineated in the Order, which was prepared about three, four weeks after the actual April 21 hearing."

Mr. Shore referred to the Order language and said two things discussed at the hearing were missing: an engineering report and a plan for corrective action were supposed to be submitted. Also, the fine abatement was not in the Order.

Mr. Leydig reiterated that the order did not indicate "who was responsible to do what" and Ms. Flynn pointed out that the property owner was always responsible; she had no jurisdiction over a buyer.

Ms. Hasan stated there were no fines currently running for this case. She mentioned there were four cases against this property and there may be some confusion. Ms. Hasan recalled that at the April hearing, the City had "asked for a timeline, asked for the re-appearance based upon the representation that the closing was going to occur, and that the buyer was going to come in, provide that report almost immediately, they were

working on it, and then a corrective action plan.” She noted that she was “bothered on a daily basis by title companies and closing agents and so forth” but she had never been contacted regarding this property. She was unsure why the buyer was unclear about his/her obligations, and said, “It was pretty clear from the last hearing what his or her obligations or its obligations were as to this property.” Ms. Hasan was confused about why there had been a closing and the funds were there but the sale had not gone through, when she had never been contacted.

Ms. Flynn asked again what the title company wanted from her. Mr. Leydig said the proposed timing of the closing would have put the burden on the new owner to perform the structural inspection and create a plan for repairing the home. The title company had refused to complete the closing because they did not have a “Special Magistrate’s report that says the \$300 fine is abated.” Ms. Flynn asked if that confirmation was all the title company wanted and Mr. Shore said they also wanted Ms. Flynn to indicate that by a time certain, “the owner of the property, by that hearing, has to submit an engineering report that the property is structurally sound and has to submit a plan to remedy any and all outstanding code violations.”

Ms. Flynn suggested staff could prepare the Order, and Mr. Shore could have the title company approve it before she signed it. Ms. Hasan did not agree and said the City wanted to move forward with vacating the house and demolishing it.

Mr. Leydig said the buyer had said, “How can I be a pig in the poke; I have no direction” and would not allow the title company to disburse the proceeds so they could pay the fines and go forward with the closing.

Ms. Flynn ordered that an engineering report and a plan for corrections must be provided to the City within 21 days. If both conditions were not met, the property must be vacated in 21 days and if both conditions were not met in 42 days, the City could demolish the property. She agreed to include the abatement of the fines in the Order and to sign the Order on Monday.

**Case: CE15092183**

1213 NW 19 CT

GAINES, JOHNNIE EST

Request for extension

This case was first heard on 3/3/16 to comply by 6/2/16. Violations and extensions were as noted in the agenda. The property was not in compliance.

Wilson Quintero, Code Compliance Officer, said the owner had been in contact with him and would request an extension.

Karen Coppin, estate executrix, requested 45 to 60 and Officer Quintero did not object.

Ms. Flynn granted a 49-day extension to 7/21/16, during which time no fines would accrue.

**Case: CE16031526**

635 NW 10 TER  
COMMUNITY 8 PROPERTIES LLC

Service was via posting on the property on 5/16/16 and at City Hall on 5/19/16.

Shelly Hullett, Code Compliance Officer, testified to the following violation:

9-280(b)

THERE ARE BUILDING PARTS WHICH ARE DETERIORATED AND NOT MAINTAINED.

Officer Hullett presented photos of the property and the case file into evidence and said she had been informed the property was now in compliance. She recommended ordering compliance within 10 days or a fine of \$50 per day to allow her time to re-inspect.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day would begin to accrue.

**Case: CE16031111**

1818 SW 22 ST  
DAVIS, MARIA

Service was via posting on the property on 5/17/16 and at City Hall on 5/19/16.

Ingrid Gottlieb, Senior Code Compliance Officer, testified to the following violations:

25-16

THERE ARE VEHICLES THAT HAVE BEEN DRIVING ACROSS THE SIDEWALK, AND HAVE CAUSED INJURY TO THE SIDEWALK.

9-305(b)

THERE ARE AREAS OF MISSING GRASS.

9-304(b)

THERE ARE VEHICLES PARKING ON THE GRASS.

Complied:

47-34.4

Officer Gottlieb presented photos of the property and the case file into evidence and recommended ordering compliance within 28 days or a fine of \$50 per day, per violation.

Andres Conde, the owner's nephew, said he had photos from Google Earth showing the sidewalk had been in disrepair since 2012. He said the vehicle had only parked there for few days and had stopped. Officer Gottlieb reviewed her photos and said it was evident that the car caused the damage. Mr. Conde said his aunt owned the property and had no money to repair the sidewalk. He had seen something in the City code that the City would repair the sidewalk and either take a lien out on the house or the owner could repay the cost through the water bill. Ms. Hasan was unsure if having the City make the repair and then the owner reimbursing the City through the water bill was a "mandatory remedy." Ms. Flynn agreed to provide Mr. Conde 63 days to investigate.

Ms. Flynn found in favor of the City and ordered compliance within 63 days or a fine of \$50 per day, per violation would begin to accrue.

The following two cases for the same owner were heard together:

**Case: CE16010143**

Continued from 5/19/16

2731 NW 19 ST  
JOHNSON, H WESLEY

Ingrid Gottlieb, Senior Code Compliance Officer, testified to the following violations:  
BCZ 39-313.(c)(2)

THE STORAGE AREA DOES NOT HAVE A WALL COMPLETELY  
SURROUNDING IT, AS REQUIRED.

BCZ 39-313.(c)(3)

THERE ARE ITEMS BEING STORED ABOVE THE HEIGHT OF THE WALL.

BCZ 39-215.(g)

VEHICLES ARE BEING PARKED ON THE PUBLIC RIGHT OF  
WAY AND STREET.

BCZ 39-229.(d)(i)

GOODS ARE BEING LOADED OR UNLOADED ON THE STREET  
OR SIDEWALK.

Walter Campbell Jr., attorney, asked Andrew Siegel, witness, to describe how the fencing violation was in compliance. Mr. Siegel explained that he had represented Mr. Johnson for some code violations brought by Broward County years ago. They had met with County code inspectors and developed a plan to comply all of the violations. A plan and schedule had been approved by Broward County, the work had been done and the violations complied. The approved work included removing the wall that the City now said they wanted replaced and removing barbed wire. Mr. Campbell stated they had a sworn statement from the Broward County compliance officer indicating everything was in compliance. He added that Mr. Johnson had owned the property since 1968. He provided a copy of the statement and Ms. Hasan objected because she could not cross-examine a statement. Mr. Campbell reminded Ms. Hasan that this was not a judicial proceeding; it was quasi-judicial.

Ms. Flynn wanted to know how the property could have been in compliance before and not be in compliance now. Officer Gottlieb stated code inspectors had “some discretion” and perhaps the Broward County code officer had agreed with what had been done. She said she had no question that these violations existed now. Mr. Campbell stated this was a grandfathered-in property and all of the violations were in compliance except for the parking situation, over which the owner had no control.

Ms. Hasan said if Ms. Flynn accepted the statement from the Broward County inspector, Ms. Hasan would require a continuance so she could cross-examine the inspector.

Mr. Campbell provided a copy of the landscape plan into evidence.

Ms. Flynn continued the case to 7/28/16.

**Case: CE16010144**  
2745 NW 19 ST  
JOHNSON, H W

Continued from 5/19/16

Ingrid Gottlieb, Senior Code Compliance Officer, testified to the following violations:  
BCZ 39-225.

THERE ARE ITEMS BEING STORED ON A NON-PAVED  
SURFACE ON THE PROPERTY.

18-12(a)

THERE IS TRASH, LITTER AND DEBRIS ON THE PROPERTY  
AND SWALE.

BCZ 39-313.(c)(2)

THE STORAGE AREA DOES NOT HAVE A WALL COMPLETELY  
SURROUNDING IT AS REQUIRED.

BCZ 39-313.(c)(3)

THERE ARE ITEMS BEING STORED ABOVE THE HEIGHT OF THE WALL.

BCZ 39-215.(g)

VEHICLES ARE BEING PARKED ON THE PUBLIC RIGHT OF  
WAY AND STREET.

BCZ 39-229.(d)(i)

GOODS ARE BEING LOADED OR UNLOADED ON THE STREET  
OR SIDEWALK.

9-280(h)(1)

THE FENCE AND WALL AT THIS PROPERTY ARE IN  
DISREPAIR.

Ms. Flynn continued the case to 7/28/16.

The following three cases for the same owner were heard together:

**Case: CE15080767**

1133 NW 7 AVE  
TIITF/HRS-YOUTH SERV  
BROWARD CHILDRENS SHELTER

This case was first heard on 11/17/15 to comply by 12/17/15 and 2/15/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$22,400 fine, which would continue to accrue until the property was in compliance.

Ms. Hasan stated the properties were owned by the State and as such, the City could not put on lien on them. She requested imposition of the fine, removing the lien language from the order.

Sidney Bigham III, representative, said the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida was the property owner and presented a deed into evidence. He agreed that any order should not include the lien language and added that the State of Florida was protected by the Doctrine of Sovereign immunity from being fined or sued unless there was a consent to sue. He therefore requested that no order awarding fines against the State be entered either. Mr. Bigham offered case law and Attorney General opinions confirming this.

Ms. Hasan said this was not a lawsuit for money damages and there was nothing in Florida Statute 162 that exempted the State from a daily fine or that exempted a Magistrate "from having the ability to impose a daily fine on a municipality or a County." She agreed it was an "uncollectible fine" and said the case and the fines would be dismissed once there was compliance.

Ms. Flynn said she understood that she did not have the ability to rule on constitutional issues. Mr. Bigham said without discussing whether it made sense to impose an uncollectible fine, he reiterated that State statutes barred any suit against the State for money and said Ms. Hasan had it "backwards; we don't have to be exempt; there has to be a statute that specifically says that we *can* be fined and there isn't one."

Ms. Flynn said she would impose the fine and Mr. Bigham would need to argue the constitutional issue elsewhere.

Ms. Flynn imposed the \$22,400 fine, which would continue to accrue until the violations were corrected.

Jean Costa, attorney for the Department of Children and Families (DCF), said they were the lessee on the property and she believed they had standing. She said they were not obligated to pay the fines as part of their lease. Ms. Hasan said only the State had



standing in this case. Ms. Costa reminded Ms. Flynn that DCF was part of the State of Florida and had standing and she had spoken at other hearings regarding the specific violation. Ms. Flynn pointed out that she had already ruled regarding the violation and could not take new testimony.

Ms. Flynn accepted the case law and Attorney General's opinions Mr. Bigham had offered. He referred to a 1940 Florida Supreme Court case that indicated that the State could not be sued for money damages and their property could not be interfered with without statutory authorization. Mr. Bigham also discussed an Attorney General opinion that counties' and cities' minimum building code authorities did not have enforcement authority over State building projects. Ms. Hasan argued this was an outdated opinion because it was rendered prior to the Florida Building Code.

**Case: CE15080773**

1135 NW 7 AVE  
TIITF/HRS-YOUTH SERV  
BROWARD CHILDRENS SHELTER

This case was first heard on 11/17/15 to comply by 12/17/15 and 2/15/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$22,400 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$22,400 fine, which would continue to accrue until the violations were corrected.

**Case: CE15080775**

1141 NW 7 AVE  
TIITF/HRS-YOUTH SERV  
BROWARD CHILDRENS SHELTER

This case was first heard on 11/17/15 to comply by 12/17/15 and 2/15/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$22,400 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$22,400 fine, which would continue to accrue until the violations were corrected.

**Case: CE15100184**

3090 NE 48 ST # 212  
PERKINS, SHERIDAN & CIPTADI, ELINA

This case was first heard on 2/18/16 to comply by 3/31/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting

imposition of a \$3,100 fine, which would continue to accrue until the property was in compliance.

Gavin Caddy, attorney, said the owners lived overseas and had just become aware of the violations. He stated the original contractor had already submitted the application renewal.

George Oliva, Chief Building Inspector, said the owner had been notified in October 2015, per the code and the case had been before the Special Magistrate twice. He recommended imposition of the fines.

Mr. Caddy said he had spoken with Inspector DelRio, who had indicated that if the permit were renewed prior to the hearing they would not need to attend the hearing.

Ms. Flynn granted a 14-day extension, during which time no fines would accrue.

**Case: CE16010833**

Request for extension

1905 NW 16 CT  
JOSEPH, EMMANUEL

This case was first heard on 4/7/16 to comply by 6/9/16. Violations were as noted in the agenda. The property was not in compliance.

Wilson Quintero, Code Compliance Officer, said the owner was working on the violations and he did not object to granting an extension.

Westley Holden, attorney, requested 91 days.

Ms. Flynn granted a 91-day extension to 9/1/16, during which time no fines would accrue.

**Case: CE16031789**

712 NW 1 AVE  
CHRISTENSEN, RANDALL E & LEONOR C  
CHRISTENSEN, RONALD CARL

Service was via posting on the property on 5/17/16 and at City Hall on 5/19/16.

Shelly Hullett, Code Compliance Officer, testified to the following violations:  
9-304(b)

THERE ARE VEHICLES/TRAILERS PARKED ON THE LAWN OF  
THIS PROPERTY.

9-305(b)

THE LANDSCAPING OF THIS PROPERTY, INCLUDING THE  
SWALE AREA, ARE NOT PROPERLY MAINTAINED AND

PROTECTED IN A HEALTHY GROWING CONDITION. THERE  
ARE WORN AND BARE PATCHES OF LAWN.

Complied:  
18-4(c)

Officer Hullett presented photos of the property and the case file into evidence and recommended ordering compliance within 28 days or a fine of \$100 per day, per violation.

Ronald Christensen, owner, said he wanted to apply for a driveway permit for additional parking area and requested 60-120 days. Officer Hullett said in the meantime, the parking on the lawn must cease and the lawn must be restored.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$100 per day, per violation would begin to accrue.

Ronald Lux, neighbor, said the owners had created an alleyway between First Avenue and Andrews Avenue. Officer Hullett said this was part of the violation. She added that the City could not prevent people from driving on the lawn.

**Case: CE16031152**

3361 SW 20 ST  
21ST MORTGAGE CORP ONE CENTER SQUARE

Service was via posting on the property on 5/10/16 and at City Hall on 5/19/16.

Jessika Epley, Code Compliance Officer, testified to the following violation:  
18-12(a)

THERE ARE MULTIPLE ITEMS STORED OUTDOORS ON THIS  
PROPERTY THAT CONSTITUTE AS TRASH, LITTER, AND  
DEBRIS INCLUDING BUT NOT LIMITED TO A TV, STORAGE  
CONTAINERS, BOXES, PICTURE FRAMES, PIECES OF  
PLYWOOD, AND A TABLE ON THE FRONT LAWN. THERE IS  
OVERGROWN GRASS AND WEEDS ON THIS PROPERTY AND SWALE.

Officer Epley presented photos of the property and the case file into evidence and recommended ordering compliance within 21 days or a fine of \$50 per day.

Jason Silver, attorney, agreed.

Ms. Flynn found in favor of the City and ordered compliance within 21 days or a fine of \$50 per day would begin to accrue.

**Case: CE15100733**

1412 NE 14 CT  
AHRENS, JAMES T

This case was first heard on 2/4/16 to comply by 3/17/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$7,600 fine, which would continue to accrue until the property was in compliance.

Frank Arrigoni, Building Inspector, recommended imposition of the fines.

James Ahrens, owner, said there was a foreclosure pending on the house, as well as a sale. He said the windows had failed final inspection because there was no paperwork and the Notice of Acceptance was no longer available. He requested 30 days.

Ms. Flynn granted a 49-day extension to 7/21/16, during which time no fines would accrue.

**Case: CE16050238**

104 SE 11 AVE  
PIKUTA, MARIA

Personal service had been made to the owner on 5/10/16.

Jose Abin, Building Inspector, testified to the following violations:

9-259

(2) THE HEAD OF THE ENFORCING AGENCY SHALL GIVE TO THE OWNER OR PERSON IN CHARGE OF ANY DWELLING, DWELLING UNIT, HOTEL, HOTEL UNIT, ROOMING HOUSE OR ROOMING UNIT FOUND TO BE UNFIT FOR HUMAN OCCUPANCY WRITTEN NOTICE TO THE EFFECT THAT SUCH DWELLING, DWELLING UNIT, HOTEL UNIT, ROOMING HOUSE OR ROOMING UNIT IS UNFIT FOR HUMAN OCCUPANCY AND SUCH NOTICE SHALL:

- a. SUMMARIZE THE DEFECTS WHICH SERVE AS THE BASIS FOR DECLARING THE DWELLING, DWELLING UNIT, HOTEL, HOTEL UNIT, ROOMING HOUSE, OR ROOMING UNIT AS UNFIT FOR HUMAN OCCUPANCY.
- b. ORDER THE BUILDING, STRUCTURE, OR PORTION THEREOF, TO BE VACATED WITHIN FIVE (5) DAYS AND NOT REOCCUPIED UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED BY THE BUILDING AND ZONING DEPARTMENT OF THE CITY.
- c. REQUIRE THE OWNER OR PERSON IN CHARGE OF THE BUILDING OR PREMISES, WITHIN FIFTEEN (15) DAYS

FROM THE DATE OF THE NOTICE, TO COMMENCE EITHER THE NECESSARY REPAIRS OR IMPROVEMENTS OR THE DEMOLITION OR REMOVAL OF THE BUILDING STRUCTURES OR PARTS THEREOF.

d. STIPULATE THAT A PERMIT AS REQUIRED BY THE BUILDING CODE BE OBTAINED PRIOR TO THE START OF ANY REPAIRS, IMPROVEMENTS, DEMOLITION OR REMOVAL OF THE BUILDING OR STRUCTURE AND THAT ALL WORK COVERED BY THE PERMIT SHALL BE COMPLETED WITHIN NINETY (90) DAYS FROM THE DATE THEREOF, UNLESS OTHERWISE STIPULATED BY THE HEAD OF THE ENFORCING AGENCY.

e. INFORM THE PERSON ON WHOM THE NOTICE IS SERVED OF HIS RIGHT TO APPLY FOR, WITHIN FIFTEEN (15) DAYS, A HEARING BY THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD IN ACCORDANCE WITH SECTION

9-258(E).

THIS BUILDING DOES NOT MEET THE MINIMUM HOUSING REQUIREMENTS AS FOLLOWS:

1. THE USE AND THE OCCUPANCY OF THIS BUILDING HAS BEEN CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION OF A FOUR-PLEX TO NINE RENTAL UNITS PLUS ONE OWNER OCCUPIED UNIT WITHOUT OBTAINING THE REQUIRED PERMITS AND THE CERTIFICATE OF OCCUPANCY FROM THE BUILDING DEPARTMENT.

BOARDING ROOMS HAVE BEEN CREATED BY BUILDING WALLS OBSTRUCTING DOORS BOARDING ROOMS RENTAL UNITS HAVE BEEN CREATED.

2. DOWNSTAIRS APARTMENTS, A TRIPLEX HAVE BEEN SUBDIVIDED BY BLOCKING DOORS, BUILDING PARTITIONS TO MAKE THEIR RESPECTIVE KITCHENS AND BATHROOMS INACCESSIBLE TO ALL THE RESIDENTS OF EACH APARTMENT.

3. ELECTRICAL BREAKER PANELS ARE NOT ACCESSIBLE TO ALL RESIDENTS OF THE THREE APPROVED DWELLING UNIT IN THE EVENT OF AN EMERGENCY WHERE POWER TO A CIRCUIT MUST BE DISCONNECTED PER THE NEC.

4. BUILT COMMON BATHROOM OUT OF STORAGE CLOSET.

5. REMOVED KITCHENS AND CONVERTED TO ROOMS.

6. BUILT PARTITIONS TO CONVERT DINING ROOM TO A BOARDING ROOM.

7. MODIFIED WINDOW UNITS TO ACCOMMODATE WINDOW AIR CONDITIONERS. WINDOW A/C PROTRUDING INTO THE EGRESS PATH BELOW THE REQUIRED MINIMUM HEIGHT IN VIOLATION OF THE FBC EGRESS REQUIREMENTS.

8. STORAGE CLOSET CONVERTED TO A BATHROOM WITH

INSTALLATION OF PLUMBING FIXTURES AND  
MODIFICATIONS TO THE PLUMBING SYSTEM.

9. INSTALLATION OF ELECTRICAL FIXTURES AND  
MODIFICATION OF THE ELECTRICAL SYSTEM BY  
INSTALLING OUTDOOR OUTLETS AND ELECTRICAL IN  
CLOSET CONVERTED TO BATHROOM.

10. THERE IS AN OUTDOOR KITCHEN TO SERVICE THE  
BOARDING UNITS.

11. THE BATHROOM FACILITIES FOR THE BOARDING ARE  
ONLY ACCESSIBLE FROM THE EXTERIOR OF THE  
BUILDING.

9-260.(a)

ACTION TO BE TAKEN UPON REFUSAL, FAILURE OR  
NEGLECT TO REMOVE OR CORRECT A VIOLATION.  
PER THIS SECTION OF THE CITY ORDINANCE IF THE  
OWNER REFUSES, OR DOES NOT APPEAR AT THE HEARING,  
TO COMPLY TO CORRECT THE VIOLATIONS AS NOTED IN  
SECTION 9-259 THE CITY SHALL HAVE RECOURSE TO  
ADDRESS THE VIOLATIONS AND MAY REQUIRE THE UNSAFE  
STRUCTURE TO BE VACATED OR DEMOLISHED AT THE  
OWNERS EXPENSE.

9-279(d)(3)

MINIMUM HOUSING REQUIRES:  
ALL TOILET AND BATH FACILITIES MUST MEET THIS  
SECTION OF THE MINIMUM HOUSING ORDINANCES.

Inspector Abin presented photos of the property and the case file into evidence and recommended ordering evacuation of the first floor within 24 hours, to remain in effect until the building was converted to its original floorplan or until permits were issued and a new Certificate of Occupancy was issued.

Margaret Arneson, attorney, said pursuant to a code case on May 26, the owner had been given 33 days to develop a corrective plan to address the violations. She was also supposed to tour the property with a City representative. Ms. Arneson stated they had already contacted a general contractor to review the violations and develop a plan. She requested time to correct the violations.

George Oliva, Chief Building Inspector, stated the building was deemed unsafe because of the unpermitted electrical work. The Fire Marshal and building Official had been denied entrance to the building to inspect. He said the owner could remove all of the violations or convert the building back to the original floorplan. Inspector Oliva stated the case Ms. Arneson talked about was for work without permits; this case related to the unsafe condition of the property.

Captain Robert Kisarewich, Fire Inspector, could not testify that the property was unsafe because he had not inspected it. He said Ms. Arneson was supposed to arrange a meeting with the Fire Marshal to inspect the property.

Ms. Flynn ordered the owner to set a meeting for the Fire Marshal to inspect the building within 7 days, for the inspection to take place within 14 days and if the Fire Marshal found the property was unsafe, the property must be vacated within 30 days.

**Case: CE13120797**

6723 NW 16 TER  
DAACO LLC

This case was first heard on 3/19/15 to comply by 4/30/15. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$32,100 and the City was requesting the full fine be imposed.

George Oliva, Chief Building Inspector, said the City was willing to reduce the fine to \$16,050.

David Sexton, owner, asked if the \$32,100 fine applied to this unit or the entire four-unit warehouse building. Inspector Oliva stated this was under the folio number for the four units: 9209330030. Mr. Sexton wanted to be certain that the other units were not being fined separately. He said they had originally submitted the 40-year safety inspection as one, but the City had wanted them individually.

Ms. Flynn asked Inspector Oliva to confirm that the other three units did not have open cases and Inspector Oliva stated, "Yes, the report from the engineer, he provided us with four different packages, but the four packages are under one folio number; to us it's one unit." Mr. Sexton then asked if the fine on this address therefore encompassed all four units. Ms. Hasan stated, "We're not giving you legal advice on that issue." Mr. Sexton asked if there would be other fines for the other individual units and Ms. Flynn stated, "No, apparently not, right? We're not going to see a fine for the other units, so whatever you do to divvy up the fine is your concern." Ms. Hasan said, "Sir, there's one case."

Mr. Sexton said the first contractor had dragged his heels and been fired. He said there had been minor issues to address to comply, but they had hired a new contractor and done a complete beautification. Mr. Sexton believed that all of the work must have been done in order to submit the report but Inspector Oliva clarified that "they should have been in compliance by the engineer submitting the report after they did the small repair that he was describing; if they went into a full renovation, that had nothing to do with the 40-year compliance."

Parus Constantine, general contractor, said there were different fines for each of the four units.

Mr. Sexton was still not convinced that all of the fines for all four units were included in this case as Inspector Oliva had indicated and Ms. Flynn asked him to work this out with Inspector Oliva.

Ms. Flynn imposed a fine of \$5,500 for the days the property was out of compliance.

**Case: CE15101194**

1424 NW 19 AVE

JOHN P FUNKEY REV TR FUNKEY, JOHN P TRUSTEE

This case was first heard on 2/18/16 to comply by 3/24/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$13,800 fine, which would continue to accrue until the property was in compliance.

Wilson Quintero, Code Compliance Officer, said the owner had been in contact with him at all times and was in the process of pulling a permit.

Thomas Funkey, the owner's brother, requested 60 days and Inspector Quintero agreed.

Ms. Flynn granted a 63-day extension to 8/4/16, during which time no fines would accrue.

**Case: CE16010415**

6520 NE 19 AVE

MCMAHON, TIMOTHY P JR & MEGAN G

Frank Arrigoni, Building Inspector, testified to the following violation:  
FBC(2014) 105.3.2.1

THE FOLLOWING PERMITS ARE EXPIRED.  
14040126 ATF KITCHEN N BATH REMODEL  
14040127 INSTALL 1 IMPACT WINDOW AND 2 DOORS  
14040128 PLUMBING FOR REMODEL  
14040131 ELECTRIC FOR REMODEL

Inspector Arrigoni said the owner had been present earlier and he and Inspector Arrigoni had agreed he would recommend ordering compliance within 42 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$50 per day.



**Case: CE15100984**

422 NW 7 TER  
WALKER, IRIS

This case was first heard on 1/21/16 to comply by 2/25/16. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$1,600 and the City was recommending no fine be imposed.

Iris Walker, owner, agreed to the fine reduction.

Ms. Flynn imposed no fine.

**Case: CE16010034**

621 SE 6 ST  
EDEWAARD, CABOT & EDEWAARD, SHERI

Service was via posting on the property on 5/13/16 and at City Hall on 5/19/16.

Frank Arrigoni, Building Inspector, testified to the following violations:

FBC(2014) 105.3.2.1

THE FOLLOWING PERMIT(S) WERE LEFT TO EXPIRE AND THE WORK IS IN PROGRESS AND/OR COMPLETED. THIS IS A LIFE SAFETY HAZARD; WORK COMPLETED HASN'T PASSED THE FINAL INSPECTION TO COMPLY WITH THE FLORIDA BUILDING CODE REQUIREMENTS OF SECTION 110. AND IS DEEMED TO BE UNSAFE UNDER FLORIDA BUILDING CODE SECTION 116.2.1.3.1.:

BUILDING PERMIT #14110863 (REPLACE 18 WINDOWS AND 1 SGD W/IMPACT)

FBC(2014) 110.6

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Arrigoni recommended ordering compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$100 per day and a 180-day extension from the date the permits were renewed for FBC (2014) 110.6 or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$100 per day and a 180-day extension from the date the permits were renewed for FBC (2014) 110.6 or a fine of \$100 per day.

**Case: CE15102377**

1619 NW 13 AVE  
RHA 2 LLC

This case was first heard on 1/21/16 to comply by 3/24/16. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$6,900 and the City was requesting the full fine be imposed.

Wilson Quintero, Code Compliance Officer, recommended no fine be imposed.

David Fernandez, representative, agreed to the fine reduction.

Ms. Flynn imposed no fine.

**Case: CE16032287**

3161 RIVERLAND RD  
FUNDING REALTY LLC

Service was via posting on the property on 5/17/16 and at City Hall on 5/19/16.

Ingrid Gottlieb, Senior Code Compliance Officer, testified to the following violations:  
18-12(a)

THERE IS OVERGROWTH, TRASH AND PLANT DEBRIS ON THE  
PROPERTY AND SWALE.

9-280(h)(1)

THERE ARE AREAS OF THE FENCE IN DISREPAIR.

Officer Gottlieb presented photos of the property and the case file into evidence and recommended ordering compliance with 18-12(a) within 14 days and with 9-280(h)(1) 28 days or a fine of \$50 per day, per violation.

Shlomo Rashabi, manager, felt the property was already in compliance. He said the tenant had been using the property as a dumping site but Mr. Rashabi was keeping it clean now.

Ms. Flynn found in favor of the City and ordered compliance with 18-12(a) within 14 days and with 9-280(h)(1) 28 days or a fine of \$50 per day, per violation would begin to accrue.

**Case: CE15101872**

2400 E COMMERCIAL BLVD # FIRE  
CALIFORNIA STATE TEACHERS RETIREMENT

Request for extension

This case was first heard on 2/18/16 to comply by 3/31/16. Violations were as noted in the agenda. The property was not in compliance and fines had accrued to \$3,100.

Frank Arrigoni, Building Inspector, reported the case had begun seven months ago and in that time, only one permit had been renewed. Some of the violations related to life safety issues. He opposed any extension.

Steven Thompson, representative, stated as soon as they received the notice, they had contacted all of the contractors. He said he had seen online that two of the permits had been re-inspected. The other three permits related to a tenant that had never moved in and no work had been done. The contractor had informed him that they would submit a void request for those permits but had submitted a "remove contractor" request instead. Mr. Thompson had submitted a void permit request three week ago but it was not noted online yet. He said the building was occupied and passed annual fire inspections.

Inspector Arrigoni insisted that the work had been done because some of the permits had some inspections but no final inspection.

Ms. Flynn granted a 14-day extension to 6/16/16, during which time no fines would accrue.

**Case: CE16032128**

2201 NW 6 ST

LEWIS, ALVIN & BROWN, D L & CARABALLO, S LEWIS

Service was via posting on the property on 5/16/16 and at City Hall on 5/19/16.

Shelly Hullett, Code Compliance Officer, testified to the following violation:  
47-21-9.M.

ALL UNDEVELOPED PORTIONS OF A PARCEL OF LAND SHALL BE LEFT UNDISTURBED OR PLANTED WITH GROUND COVER OR LAWN SO AS TO LEAVE NO EXPOSED SOIL IN ORDER TO PREVENT DUST OR SOIL EROSION. THE GROUND COVER ON THIS VACANT LOT HAS BEEN WORN AWAY AND THERE IS MOSTLY BARE GROUND.

Officer Hullett presented photos of the property and the case file into evidence and recommended ordering compliance within 35 days or a fine of \$50 per day.

Alvin Lewis, owner, stated the City had put limestone on the property, which prevented all organic growth. He had contacted Rick Johnson and Paul Burr, who suggested Parks and Recreation may use it and agreed to remove it.

Officer Hullett described how cooperative and responsive Mr. Lewis had been and said she would contact Mr. Johnson in the Utilities Department regarding removal of the limestone.

Ms. Flynn continued the case for 91 days and asked the City to investigate who had put the limestone on Mr. Lewis' property and see if they would take responsibility for removing it.

**Case: CE16031042**

Rescheduled from 5/19/16

842 SW 11 ST

ALYDAR DEVELOPERS LLC

Linda Holloway, Code Compliance Officer, testified to the following violation:  
18-12(a)

TARPON RIVER - OVERGROWTH/RECURRING- THERE IS OVERGROWTH OF GRASS/PLANT/WEED ON THIS VACANT LOT. THIS LOT HAS A RECURRING VIOLATION PER CASES PERVIOUS CASES CE15011969, CE14121958, CE14082276, CE14061548, CE13071259, AND CE12051781. THIS CASE WILL GO TO SM TO GET A FINDING FACT FOR A REPEAT VIOLATOR WHETHER THEY COME INTO COMPLIANCE OT NOT.

Officer Holloway presented photos of the property and the case file into evidence, stated the property was now in compliance and requested a finding of fact that the violation had existed as cited.

George Niarchos, owner, said they had demolished a home on the property seven years ago and never rebuilt. He stated they had hired a lawn service they thought was maintaining the property but they had not done it. They had since hired a new landscaping company and he hoped this would resolve the recurring problem.

Ms. Flynn found in favor of the City that the violation had existed as cited.

**Case: CE15101073**

1527 NW 11 CT

JOHNSON, WALTER

This case was first heard on 2/4/16 to comply by 3/17/16. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$1,700 and the City was requesting the full fine be imposed.

Frank Arrigoni, Building Inspector, requested reducing the fines to \$580.

Ms. Flynn imposed a fine of \$580 for the days the property was out of compliance.

**Case: CE15110756**

1835 LAUD MANORS DR  
HARRISON, JEREMY

This case was first heard on 1/21/16 to comply by 2/4/16. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$19,900 and the City was requesting the full fine be imposed.

Wilson Quintero, Code Compliance Officer, recommended reducing the fine to cover administrative costs of \$893.

Monica Solsana, owner, agreed to the fine reduction.

Ms. Flynn imposed a fine of \$893 for the days the property was out of compliance.

**Case: CE15111179**

105 SW 18 AVE  
RIVERSIDE PARK 105-107 LLC

This case was first heard on 2/18/16 to comply by 4/7/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$1,375 fine, which would continue to accrue until the property was in compliance.

Linda Holloway, Code Compliance Officer, said permit applications had been submitted and were currently out for corrections.

Nathaly LaFontant, property manager, requested 90 days.

Ms. Flynn granted a 91-day extension to 9/1/16, during which time no fines would accrue.

**Case: CE16020283**

1244 NE 11 AVE  
BAMGD LAND TR EQUITYMAX INC. TRUSTEE

This was a request to vacate the Order dated 4/21/16.

Jose Abin, Building Inspector, stated there had been progress: the owner had installed a temporary fence and submitted an engineering report and timeline for compliance. The owner had not yet provided the permit renewal and commencement of construction. The City was requesting a 56-day extension for the demolition order and to order the owner to renew permits and commence construction during that time. The City also wanted to order the respondent to attend the 7/28/16 Special Magistrate hearing.

Ms. Flynn granted a 56-day extension and ordered the owner to renew permits and commence construction during that time and to attend the 7/28/16 Special Magistrate hearing.

**Case: CE15091373**  
3811 JACKSON BLVD  
PRIMESTAR-H FUND I TR  
WILMINGTONSAV FUND SOC TRUSTEE

This case was first heard on 2/18/16 to comply by 3/31/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$6,200 fine, which would continue to accrue until the property was in compliance.

Jose Abin, Building Inspector, reported there had been no progress and recommended imposition of the fines.

Ms. Flynn imposed the \$6,200 fine, which would continue to accrue until the violations were corrected.

**Case: CE16010136**  
1473 NE 56 ST  
COSTELLO, MILANO

Service was via posting on the property on 5/13/16 and at City Hall on 5/19/16.

Ingrid Gottlieb, Senior Code Compliance Officer, testified to the following violation:  
9-305(b)

THERE IS MISSING GROUND  
COVER AND ROCKS ARE COVERING MOST OF THE PROPERTY.

Officer Gottlieb presented photos of the property and the case file into evidence and recommended ordering compliance within 42 days or a fine of \$50 per day.

Milano Costello, owner, agreed.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$50 per day would begin to accrue.

**Case: CE16020108**  
1237 NE 17 AVE  
PELLEGRINO, FRANK

Service was via posting on the property on 5/7/16 and at City Hall on 5/19/16.

John Suarez, Code Compliance Officer, testified to the following violations:

18-4(c)

THERE ARE DERELICT VEHICLES ON THE DRIVEWAY ON THE PROPERTY, INCLUDING BUT NOT LIMITED TO BLACK X-TERRA WITH EXP. TAG SINCE 2014 AND A GRAY MERCEDES WITH MARYLAND TAG EXPIRED 2015.

47-34.1.A.1.

THERE ARE ITEMS BEING STORED OUTSIDE ON THE PROPERTY, INCLUDING BUT NOT LIMITED TO: BOXES, FURNITURE, AND OTHER ITEMS. THIS IS NOT A PERMITTED USE ON AN RC-15 ZONED PROPERTY AS PER TABLE 47-5.15.

Complied:

18-12(a)

9-305(b)

Officer Suarez Presented photos of the property and the case file into evidence and recommended ordering compliance within 14 days or a fine of \$25 per day, per violation with the right for the City to tow derelict vehicles.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$25 per day would begin to accrue, with the right for the City to tow derelict vehicles.

**Case: CE15121191**

1106 WYOMING AVE  
BEAULY LLC

Service was via posting on the property on 5/9/16 and at City Hall on 5/19/16.

George Oliva, Chief Building Inspector, testified to the following violations:

FBC(2014) 105.3.2.1

THE FOLLOWING PERMIT(S) WERE LEFT TO EXPIRE AND THE WORK IS IN PROGRESS AND/OR COMPLETED. THIS IS A LIFE SAFETY HAZARD; WORK COMPLETED HASN'T PASSED THE FINAL INSPECTION TO COMPLY WITH THE FLORIDA BUILDING CODE REQUIREMENTS OF SECTION 110. AND IS DEEMED TO BE UNSAFE UNDER FLORIDA BUILDING CODE SECTION 116.2.1.3.1.:

BUILDING PERMIT #14070175 (KITCHEN AND BATH REMODEL)

FBC(2014) 110.6

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva recommended ordering compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6. within 180 days from the date the permits were renewed or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6. within 180 days from the date the permits were renewed or a fine of \$50 per day.

**Case: CE16031374**

1509 NW 2 AVE  
MARWOOD, DANIEL

Violations:

9-305(b)

LANDSCAPING NOT MAINTAINED. THERE IS MISSING AND/OR BARE AREAS OF LAWN COVER INCLUDING THE SWALE.

47-20.20.H.

THE PARKING FACILITIES ARE NOT BEING KEPT IN GOOD OPERATING CONDITION. THERE ARE CRACKS, POTHOLES AND THE ASPHALT TOP COAT IS RAISED, LOOSE AND MISSING IN SOME AREAS; WHEEL STOPS ARE MISSING, LOOSE OR BROKEN. THE SURFACE MARKINGS ARE FADED OR MISSING.

The City had a stipulated agreement with the owner to comply 9-305(b) within 35 days or a fine of \$50 per day and 47-20.20.H. within 35 days or a fine of \$25 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance with 9-305(b) within 35 days or a fine of \$50 per day and with 47-20.20.H. within 35 days or a fine of \$25 per day would begin to accrue.

**Case: CE16031642**

819 SE 6 ST  
FOERSTEL, JOHN S EST

Service was via posting on the property on 5/17/16 and at City Hall on 5/19/16.

Linda Holloway, Code Compliance Officer, testified to the following violation:

18-11(b)

THE SWIMMING POOL TO THE REAR OF THIS PROPERTY HAS DIRTY, STAGNANT WATER. THE BUILDING DOES NOT HAVE THE REQUIRED UTILITY SERVICES CONNECTED TO MAINTAIN THE POOL. THE PROPERTY IN THIS CONDITION IS A POTENTIAL BREEDING GROUND FOR MOSQUITOES AND A PUBLIC NUISANCE.



Officer Holloway presented photos of the property and the case file into evidence and recommended ordering compliance within 10 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$25 per day would begin to accrue.

**Case: CE16050113**

1251 E SUNRISE BLVD  
ROSHNI INVESTMENTS INC.

Personal service was made on 5/10/16.

Jose Abin, Building Inspector, testified to the following violations:

9-260.(a)

ACTION TO BE TAKEN UPON REFUSAL, FAILURE OR  
NEGLECT TO REMOVE OR CORRECT A VIOLATION.  
PER THIS SECTION OF THE CITY ORDINANCE IF THE  
OWNER REFUSES, OR DOES NOT APPEAR AT THE HEARING,  
TO COMPLY TO CORRECT THE VIOLATIONS AS NOTED IN  
SECTION 9-259 THE CITY SHALL HAVE RECOURSE TO  
ADDRESS THE VIOLATIONS IN A MANNER CONSISTENT WITH  
THIS ORDINANCE AND MAY REQUIRE THE UNSAFE STRUCTURE  
TO BE VACATED OR DEMOLISHED AT THE OWNERS EXPENSE.

9-280(c)

1.HANDRAILS ARE RUSTING AND THERE ARE PIECES  
MISSING AND ARE STRUCTURALLY UNSOUND AND PRESENT A  
LIFE AND SAFETY HAZARD.  
2. CONCRETE AREA OF THE CORRIDOR AND STAIR  
CEILING HAVE CRACKED AND SPALLING HAVING THE  
POTENTIAL OF COMING LOOSE AND CAUSING SERIOUS  
BODILY INJURY TO THE PATRONS OF THE ESTABLISHMENT.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THE  
PAINT HAS BECOME STAINED. STRUCTURAL PARTS INCLUDING  
FASCIA, SOFFITS AND BALCONIES HAVE LOOSE MATERIALS AND  
NEED TO BE PATCHED AND/OR RESURFACED TO MATCH EXISTING  
COLOR.

Inspector Abin presented photos of the property and the case file into evidence and recommended ordering the second and third floors to be vacated within 24 hours and that access to the second and third floor be prevented. These conditions would remain in effect until the repairs were made and approved by the Building Department.

Ms. Flynn found in favor of the City and ordered the second and third floors to be vacated within 24 hours and that access to the second and third floor be prevented. These conditions would remain in effect until the repairs were made and approved by the Building Department.

**Case: CE16021289**

3381 SW 20 ST  
CRAIN, LISA EST

Service was via posting on the property on 5/10/16 and at City Hall on 5/19/16.

Jessika Epley, Code Compliance Officer, testified to the following violations:

9-280(b)

THE FRONT WINDOW OF THE PROPERTY HAS A SECTION THAT HAS GLASS MISSING AND HAS BEEN COVERED WITH PLYWOOD. THE FASCIA BOARDS OF THE ROOFING AREA OVER THE CARPORT HAVE NOT BEEN MAINTAINED AND HAVE MULTIPLE AREAS OF MISSING OR PEELING PAINT.

9-280(h)(1)

THE FENCE DOOR ON THE WEST SIDE OF THE PROPERTY IS IN DISREPAIR AS IT HAS COLLAPSED ONTO THE GROUND.

18-12(a)

THERE IS OVERGROWTH OF GRASS/PLANTS/WEEDS ON THIS PROPERTY AND SWALE. THERE IS SCATTERED TRASH AND LITTER ON THIS PROPERTY.

47-34.1.A.1.

THERE IS EXCESSIVE OUTDOOR STORAGE IN THE CARPORT OF THIS PROPERTY CONSISTING OF ITEMS INCLUDING BUT NOT LIMITED TO MATTRESSES, A WASHER MACHINE, TIRES, A GRILL, AND STORAGE CONTAINERS.

Officer Epley presented photos of the property and the case file into evidence and recommended ordering compliance within 28 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$50 per day, per violation would begin to accrue.

**Case: CE16040819**

1414 SW 6 AVE  
LUCENTE, MICHAEL A

Service was via posting on the property on 5/15/16 and at City Hall on 5/19/16.

Jessika Epley, Code Compliance Officer, testified to the following violation:  
18-1.

THERE IS A COLLECTION OF METAL MATERIAL IN THE  
REAR OF THIS YARD THAT HAS BECOME DIRTY, FILLED  
WITH RAIN WATER, AND WILL BE A BREEDING GROUND FOR  
MOSQUITOES. THE PROPERTY IN THIS CONDITION HAS  
BECOME A PUBLIC NUISANCE.

Complied:  
9-279(f)

Officer Epley presented photos of the property and the case file into evidence and recommended ordering compliance within 10 days or a fine of \$75 per day.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$75 per day would begin to accrue.

**Case: CE16011616**

646 NW 14 WY  
UNITED GLORIOUS CHURCH OF CHRIST INC.

Service was via posting on the property on 5/16/16 and at City Hall on 5/19/16.

Shelly Hullett, Code Compliance Officer, testified to the following violation:  
9-305(b)

THE LANDSCAPE ON THIS VACANT LOT IS NOT MAINTAINED  
IN A GOOD, HEALTHY CONDITION. THERE ARE BARE AREAS  
WHICH REQUIRE GROUND COVER.

Complied:  
9-280(h)(1)

Officer Hullett presented photos of the property and the case file into evidence and recommended ordering compliance within 42 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$25 per day would begin to accrue.

**Case: CE16050237**

2710 NE 14 ST  
CROC LANDING LLC

Service was via posting on the property on 5/17/16 and at City Hall on 5/19/16.

Captain Robert Kisarewich, Fire Inspector, testified to the following violations:  
NFPA 1:10.4.4

THE FIRE ALARM SYSTEM HAS NOT BEEN TESTED, INSPECTED  
AND/OR TAGGED IN ACCORDANCE WITH THE CODE.

NFPA 1:1.7.6.2 FA Trouble

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

Inspector Kisarewich recommended ordering compliance within 28 days a fine of \$100 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of 100 per day, per violation.

**Case: CE16050258**

1640 N DIXIE HWY  
1640 N DIXIE HWY LLC

Service was via posting on the property on 5/18/16 and at City Hall on 5/19/16.

Captain Robert Kisarewich, Fire Inspector, testified to the following violation:  
NFPA 1:13.6.9.3.1.1.1 out

THE FIRE EXTINGUISHER(S) HAS/HAVE NOT BEEN SERVICED AND  
TAGGED BY A STATE LICENSED COMPANY WITHIN THE PAST 12  
MONTHS.

Inspector Kisarewich recommended ordering compliance within 28 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$100 per day.

**Case: CE15091229**

816 NW 6 AVE  
BRODY FAMILY INVESTMENTS LLC

Service was via posting on the property on 5/9/16 and at City Hall on 5/19/16.

Frank Arrigoni, Building Inspector, testified to the following violations:

FBC(2014) 105.3.2.1

THE FOLLOWING PERMIT(S) WERE LEFT TO EXPIRE AND THE WORK IS IN PROGRESS AND/OR COMPLETED. THIS IS A LIFE SAFETY HAZARD; WORK COMPLETED HASN'T PASSED THE FINAL INSPECTION TO COMPLY WITH THE FLORIDA BUILDING CODE REQUIREMENTS OF SECTION 110. AND IS DEEMED TO BE UNSAFE UNDER FLORIDA BUILDING CODE SECTION 116.2.1.3.1.:

BUILDING PERMIT #01061690 (OFFICE/WAREHOUSE SEPARATION WALLS TO CODE)

FBC(2014) 110.6

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Arrigoni recommended ordering compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

**Case: CE15101797**

727 NW 19 AVE  
HAYMAN, STUART

Frank Arrigoni, Building Inspector, requested the Order dated 4/21/16 be vacated and that Ms. Flynn find in favor of the City that the violations had existed as cited.

Ms. Flynn vacated her Order dated 4/21/16 and found in favor of the City that the violations had existed as cited.

**Case: CE15091248**

3200 NE 36 ST  
GALT PLAZA APARTMENTS INC.

Service was via posting on the property on 5/9/16 and at City Hall on 5/19/16.

Frank Arrigoni, Building Inspector, testified to the following violations:

FBC(2014) 105.3.2.1

THE FOLLOWING PERMIT(S) WERE LEFT TO EXPIRE AND THE WORK IS IN PROGRESS AND/OR COMPLETED. THIS IS A LIFE SAFETY

HAZARD; WORK COMPLETED HASN'T PASSED THE FINAL INSPECTION TO COMPLY WITH THE FLORIDA BUILDING CODE REQUIREMENTS OF SECTION 110. AND IS DEEMED TO BE UNSAFE UNDER FLORIDA BUILDING CODE SECTION 116.2.1.3.1.:

PLUMBING PERMIT #05041932 (REPL WATER HEATER)

BUILDING PERMIT #01062078(INSTALL VENT INTO ELEVATOR SHAFT & FIRE RATED WALL)-closed 1/20/16

PLUMBING PERMIT #02041624 (REPL WTR HTR FOR SOUTH POOL BATH HOUSE)

BUILDING PERMIT #99060041 (ADDING GENERATOR ROOM 180SF)-CLOSED 1/20/16

ELECTRICAL PERMIT #06070268 (COMM ROOM ELECT FOR NEW AC UNITS)-RENEWED 10/1/15

FBC(2014) 110.6

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Arrigoni recommended ordering compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

**Case: CE15111431**

3116 NW 67 CT

EVANS, CHRISTOPHER R & EVANS, GEORGETTE J

Service was via posting on the property on 5/9/16 and at City Hall on 5/19/16.

Frank Arrigoni, Building Inspector, testified to the following violations:

FBC(2014) 110.6

THE FOLLOWING PERMIT(S) WERE LEFT TO EXPIRE AND THE WORK IS IN PROGRESS AND/OR COMPLETED. THIS IS A LIFE SAFETY HAZARD; WORK COMPLETED HASN'T PASSED THE FINAL INSPECTION TO COMPLY WITH THE FLORIDA BUILDING CODE REQUIREMENTS OF SECTION 110. AND IS DEEMED TO BE UNSAFE UNDER FLORIDA BUILDING CODE SECTION 116.2.1.3.1.:

ELECTRICAL PERMIT #06042587 (ELECT SERVICE SHG)

FBC(2014) 105.3.2.1

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS

APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE  
PERMITTING AND INSPECTION PROCESS.

Inspector Arrigoni recommended ordering compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

**Case: CE15111382**

1991 NW 14 AVE  
ASHAR SPORTS MANAGEMENT INC.

Service was via posting on the property on 5/13/16 and at City Hall on 5/19/16.

Frank Arrigoni, Building Inspector, testified to the following violations:

FBC(2014) 105.3.2.1

THE FOLLOWING PERMIT(S) WERE LEFT TO EXPIRE AND THE WORK IS IN PROGRESS AND/OR COMPLETED. THIS IS A LIFE SAFETY HAZARD; WORK COMPLETED HASN'T PASSED THE FINAL INSPECTION TO COMPLY WITH THE FLORIDA BUILDING CODE REQUIREMENTS OF SECTION 110. AND IS DEEMED TO BE UNSAFE UNDER FLORIDA BUILDING CODE SECTION 116.2.1.3.1.:

BUILDING PERMIT #06042968 (REPLACE 18 IMPACT WINDOWS)

ELECTRICAL PERMIT #06031965 (ELECT ALTERATIONS NO MASTER ON FILE)

ELECTRICAL PERMIT 06050029 (ELECT FOR AC UNIT)

ELECTRICAL PERMIT 06111918 (LOW VOLTAGE MASTER 06031965)

FBC(2014) 110.6

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Arrigoni recommended ordering compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

**Case: CE16010222**

1505 SW 4 CT  
MYHRE HOME LLC

Service was via posting on the property on 5/9/16 and at City Hall on 5/19/16.

Frank Arrigoni, Building Inspector, testified to the following violations:

FBC(2014) 105.3.2.1

THE FOLLOWING PERMIT(S) WERE LEFT TO EXPIRE AND THE WORK IS IN PROGRESS AND/OR COMPLETED. THIS IS A LIFE SAFETY HAZARD; WORK COMPLETED HASN'T PASSED THE FINAL INSPECTION TO COMPLY WITH THE FLORIDA BUILDING CODE REQUIREMENTS OF SECTION 110. AND IS DEEMED TO BE UNSAFE UNDER FLORIDA BUILDING CODE SECTION 116.2.1.3.1.:  
BUILDING PERMIT #14120105 (R AND R 15 WINDOWS AND 5 DOORS W IMPACT)-RENEWED 2/19/16  
MECHANICAL PERMIT #14101231 (INSTALL NEW 2 TON A/C AND REPLACE)

FBC(2014) 110.6

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Arrigoni recommended ordering compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

**Case: CE16010850**

207 SE 10 TER  
ATLANTIC LOFT LLC

Service was via posting on the property on 5/9/16 and at City Hall on 5/19/16.

Frank Arrigoni, Building Inspector, testified to the following violations:

FBC(2014) 105.3.2.1

THE FOLLOWING PERMIT(S) WERE LEFT TO EXPIRE AND THE WORK IS IN PROGRESS AND/OR COMPLETED. THIS IS A LIFE SAFETY HAZARD; WORK COMPLETED HASN'T PASSED THE FINAL INSPECTION TO COMPLY WITH THE FLORIDA BUILDING CODE REQUIREMENTS OF SECTION 110. AND IS DEEMED TO BE UNSAFE UNDER FLORIDA



BUILDING CODE SECTION 116.2.1.3.1.:  
BUILDING PERMIT #14090132 (ATF INTERIOR REMODELING  
OF 4 UNIT APARTMENT)

FBC(2014) 110.6

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED  
AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS  
APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE  
PERMITTING AND INSPECTION PROCESS.

Inspector Arrigoni recommended ordering compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

**Case: CE16011177**  
1030 IROQUOIS AVE  
HUGHLEY, STANLEY A

Service was via posting on the property on 5/9/16 and at City Hall on 5/19/16.

Frank Arrigoni, Building Inspector, testified to the following violations:

FBC(2014) 105.3.2.1

THE FOLLOWING PERMIT(S) WERE LEFT TO EXPIRE AND  
THE WORK IS IN PROGRESS AND/OR COMPLETED. THIS IS  
A LIFE SAFETY HAZARD; WORK COMPLETED HASN'T PASSED  
THE FINAL INSPECTION TO COMPLY WITH THE FLORIDA  
BUILDING CODE REQUIREMENTS OF SECTION 110. AND IS  
DEEMED TO BE UNSAFE UNDER FLORIDA BUILDING CODE  
SECTION 116.2.1.3.1.:

BUILDING PERMIT #08020694 (EXTERIOR  
REMODEL; ENCLOSE CARPORT & FRONT)

FBC(2014) 110.6

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED  
AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS  
APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE  
PERMITTING AND INSPECTION PROCESS.

Inspector Arrigoni recommended ordering compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

**Case: CE16021735**

1564 SW 28 AVE  
JIMENEZ, JUAN & SUZANNE

Service was via posting on the property on 5/9/16 and at City Hall on 5/19/16.

Frank Arrigoni, Building Inspector, testified to the following violations:

FBC(2014) 105.3.2.1

THE FOLLOWING PERMIT(S) WAS/WERE LEFT TO EXPIRE:  
BUILDING PERMIT #09052180 (NEW 112SQ AND REROOF OF  
THE EXISTING 1850SQ 1962)  
ELECTRICAL PERMIT #08121248 (ELECTRICAL FOR SFR  
ALTERATION: BP 08121247)  
BUILDING PERMIT #08121247 (CLOSE IN SIDE OF BLDG  
AT ROOF & ADD 3 IMPACT)

FBC(2014) 110.6

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED  
AND/OR COVERED-UP WITHOUT THE REQUIRED INSPECTIONS  
APPROVAL FROM THE BUILDING DEPT. THROUGHOUT THE  
PERMITTING AND INSPECTION PROCESS.

Inspector Arrigoni recommended ordering compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with FBC (2014) 105.3.2.1 within 42 days or a fine of \$50 per day and with FBC (2014) 110.6 within 180 days or a fine of \$50 per day.

**Case: CE15102013**

1040 SW 30 ST  
OLMEDA, RAPHAEL & GIRONA, JULIA

This case was first heard on 4/7/16 to comply by 4/28/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$5,100 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$5,100 fine, which would continue to accrue until the violations were corrected.

**Case: CE15101370**

516 NW 21 TER  
NY INVESTMENT GROUP LLC

This case was first heard on 3/3/16 to comply by 4/14/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$2,400 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$2,400 fine, which would continue to accrue until the violations were corrected.

**Case: CE15092417**

2841 N OCEAN BLVD # 803  
FACHTMANN, R JAMES

This case was first heard on 2/18/16 to comply by 3/31/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$3,100 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$3,100 fine, which would continue to accrue until the violations were corrected.

**Case: CE15050117**

2221 SW 28 WAY  
CRISCIONE, GEORGE J

This case was first heard on 9/3/15 to comply by 11/19/15. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$14,625 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$14,625 fine, which would continue to accrue until the violations were corrected.

**Case: CE15120854**

3080 NW 17 CT  
MARTIN, THERESA

This case was first heard on 4/7/16 to comply by 4/21/16. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$800 and the City was requesting the full fine be imposed.

Ms. Flynn Imposed the \$800 fine.

**Case: CE15050526**

2197 N OCEAN BLVD  
BAHRAMI, ZAHRA

This was a request to vacate the Order dated 4/7/16 and to re-impose a fine of \$746 to cover administrative costs.

Ms. Flynn vacated the Order dated 4/7/16 and rei-imposed a fine of \$746.

**Case: CE15090870**

2208 SW 14 ST  
ANDERSON, EVE A

This case was first heard on 12/2/15 to comply by 12/17/15. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$12,525 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$12,525 fine, which would continue to accrue until the violations were corrected.

**Case: CE15092085**

2001 SE 25 AVE  
PEDERSEN, SUSAN I

This case was first heard on 1/21/16 to comply by 3/3/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of an \$18,000 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$18,000 fine, which would continue to accrue until the violations were corrected.

**Case: CE15091952**

2519 BARCELONA DR  
BOWDENDARREN P/CASTILLO, MYRIAM  
% NYRSTAR LTD

This case was first heard on 2/4/16 to comply by 3/17/16. Violations were as noted in the agenda. The property was in compliance, fines had accrued to \$1,300 and the City was requesting the full fine be imposed.

Ms. Flynn Imposed the \$1,300 fine.

**Case: CE15090465**

1681 LAUD MANORS DR  
STANLEY, STEVEN

This case was first heard on 12/17/15 to comply by 1/28/16. Violations were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$6,250 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the 6,250 fine, which would continue to accrue until the violations were corrected.

**Lien Reduction Hearings**

The following 7 cases for the same owner were heard together:

**Case: CE07091428**

1100 SW 29 ST  
WELLS FARGO BANK NA TRUSTEE

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$8,650 and City hard costs totaled \$939. Total liens for all 7 cases: \$192,600.00; total hard costs: \$4,753.39.

Jason Silver, attorney, said the violations involved paint, roof cleaning and such. He stated a real estate agent had been involved at first but then Wells Fargo had hired Mr. Silver. A new 2016 case had postponed their efforts at lien reduction. Once the property was in compliance, Mr. Silver had applied for the lien reduction.

Mr. Silver said Wells Fargo had owned the property since Fall 2015 and then taken possession. Ms. Flynn informed Mr. Silver that the file indicated Wells Fargo took possession in February 2014 and she did not understand why it had taken so long to comply the violations. Ms. Hasan confirmed that the Property Appraiser indicated the property was transferred to the bank on February 4, 2014. Ms. Flynn stated an eviction proceeding had been concluded in September.

Mr. Silver said, "With these larger servicer entities, they do have to process the issue. So once it got to the appropriate people at my client, they then sent the people out and began those [sewer] hookups." His application included a timeline of when the corrections had been made, beginning in April 2015. There had been a delay "due to the change of staff and working with the realtor and working with the City and then the new 2016 violation." Mr. Silver stated there was a sale contract pending on the property and the liens were an issue.

Ms. Cross-Spencer stated the violations dated back to 2011. Mr. Silver said this pre-dated his client's foreclosure action. He added that as they cured some violations, others would pop up because neighbors were dumping trash on the property. Ms. Flynn pointed out it had taken from February 2014 until April 2015 to get the sewer hooked up.

Ms. Flynn reduced the lien amount for all seven cases to \$54,753.39 payable within 90 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE10062712**

1100 SW 29 ST  
WELLS FARGO BANK NA TRUSTEE

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$169,000 and City hard costs totaled \$488.

**Case: CE11121701**

1100 SW 29 ST  
WELLS FARGO BANK NA TRUSTEE

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$529.46 and City hard costs totaled \$529.46. The applicant had offered \$529.46.

**Case: CE12060684**

1100 SW 29 ST  
WELLS FARGO BANK NA TRUSTEE

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$362.68 and City hard costs totaled \$362.68.

**Case: CE14072211**

1100 SW 29 ST  
WELLS FARGO BANK NA TRUSTEE

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$1,145.25 and City hard costs totaled \$1,145.25.

**Case: CE14072212**

1100 SW 29 ST  
WELLS FARGO BANK NA TRUSTEE

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$10,300 and City hard costs totaled \$580.

**Case: CE15071079**

1100 SW 29 ST  
WELLS FARGO BANK NA TRUSTEE

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$4,650 and City hard costs totaled \$709.

**Case: CE15061893**

827 NW 10 TER  
U S BANK NATIONAL ASSN TRUSTEE

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$22,700 and City hard costs totaled \$709. The applicant had offered \$709.

Steve Frazer, attorney, said the bank has acquired title on May 26, 2015 and then the tenants had been evicted in October 2015. Regarding the trash services, Mr. Fraser stated the trash contractor had to be repeatedly asked to address the dumpster and trash problem. He presented a copy of the contract and the eviction proceeding and stated the violations were complied in November and December 2015. Mr. Frazer requested a lien reduction to City costs.

Ms. Flynn reduced the lien amount to \$1,500 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

The following ten cases for the same owner were heard together:

**Case: CE11010735**

1150 NW 9 TER  
BH NEHAMA CAPITAL LLC

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$58,025 and City hard costs totaled \$1,270. The applicant had offered \$3,000. Total liens for all 10 cases: \$1,408,325 ; total hard costs: \$2,984.54.

Hipolito Santiago, property manager, said there had been "mismanagement from the beginning." He had taken over six months ago and cleaned up the violations. He stated a general contractor had pulled permits and undergone final inspections, but the City had done the final inspections without individual inspections, resulting fines accruing after the final inspection. He stated the contractor had not followed up.

Ms. Hasan said this owner had taken title through a tax deed in July 2012. She pointed out the repeat violations. Ms. Flynn said mismanagement by the management company was not an excuse for the owner, who was ultimately responsible.

Ms. Flynn reduced the lien amount to \$250,000 payable within 90 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE14061937**

1150 NW 9 TER  
BH NEHAMA CAPITAL LLC

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$19,050 and City hard costs totaled \$405. The applicant had offered \$1,000.

**Case: CE11051172**

1150 NW 9 TER  
BH NEHAMA CAPITAL LLC

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$589.43 and City hard costs totaled \$589.43.

**Case: CE11110442**

1150 NW 9 TER  
BH NEHAMA CAPITAL LLC

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$343.45 and City hard costs totaled \$343.45.

**Case: CE11080868**

1150 NW 9 TER  
BH NEHAMA CAPITAL LLC

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$417.02 and City hard costs totaled \$417.02.

**Case: CE12041543**

1150 NW 9 TER  
BH NEHAMA CAPITAL LLC

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$284.79 and City hard costs totaled \$284.79.



**Case: CE12061496**

1150 NW 9 TER  
BH NEHAMA CAPITAL LLC

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$307.59 and City hard costs totaled \$307.59.

**Case: CE15010617**

1150 NW 9 TER  
BH NEHAMA CAPITAL LLC

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$324.26 and City hard costs totaled \$324.26.

**Case: CE11010622**

1150 NW 9 TER  
BH NEHAMA CAPITAL LLC

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$371.5 and City hard costs totaled \$371.50.

**Case: CE12111523**

1150 NW 9 TER  
BH NEHAMA CAPITAL LLC

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$1,331,250 and City hard costs totaled \$313.

**Case: CE11100061**

2511 N OCEAN BLVD  
ARCHDIOCESE OF MIAMI ST PIUS X CHUR

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$54,000 and City hard costs totaled \$433.

Tom Courtney, attorney, said the original 40-year certification had been submitted but the parish had been unaware that upgrading of the parking lot lighting was required. They had pulled permits in May 2015 and done the work but they had failed to submit the report confirming the lights were in compliance. He said parishioners had managed the project and he believed there had been a lack of communication and knowledge about the process. Mr. Courtney said they had spent over \$53,000 to upgrade the parking lot and \$1,200 in permit fees. He added that the property often ran at a deficit and these fines would be "painful to the parish." He requested the fines be reduced to hard costs.

Ms. Flynn reduced the lien amount to \$433 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE12041556**

800 NW 65 ST  
HENDRICKS CMRCL PROPERTIES LLC

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$109,500 and City hard costs totaled \$396. The applicant had offered \$1,500.

Michael Clark, attorney, said the violations involved fire sprinklers and spanned over two years. The violations, in many instances, were due to tenants abusing the system and vandals breaking in and stealing the copper. When the owner was aware of the violations they had hired a contractor to address the issues and when the City came to inspect, there were new issues. He stated the owner had been diligent in addressing the violations but new ones kept arising. Mr. Clark said they had spent over \$40,000 to comply the violations and now paid a contractor to conduct quarterly inspections to ensure the problems did not recur.

Mr. Clark said a former City Fire Inspector, Ron Tetreault, had informed the contractor that when the violations were in compliance, the fines would be dismissed. He presented three emails into evidence. In the first, the contractor informed the owner's representative that the fines would be dismissed when the deficiencies were corrected. In the second, the owner's representative asked Inspector Tetreault to dismiss the fines. In the third, Inspector Tetreault indicated he was sending the Notice of Compliance to the Magistrate's Secretary and the case would be closed. Mr. Clark said the owner had assumed the fines would be dismissed. He requested the liens be reduced to \$1,500.

Ms. Hasan said the owner was responsible for the tenants and these had been life safety issues. She added that in May, the property had been sold for \$4.5 million. Mr. Clark confirmed that the lien amount had been put in escrow during the sale.

Ms. Flynn reduced the lien amount to \$25,000 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE14032296**

516 SW 16 ST  
THIER, JASON

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$3,200 and City hard costs totaled \$553.

Elias Delgado, the owner's father-in-law, explained he had been injured during the project and this had delayed compliance.

Ms. Flynn reduced the lien amount to \$553 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE15061074**

1881 DAVIE BLVD

HAROON, MOHAMMED A HAROON, YASMEEN AN

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$93,450 and City hard costs totaled \$810. The applicant had offered \$600.

Mohammed Haroon, owner, said the City had closed off 19 Avenue and planted palm trees along the street so that the dumpster pad could not be accessed. He stated he had gone through "a lot of hoops" to try to find another location for the pad but the City would not agree to any other suitable place. They had finally reduced the size of the pad and installed pavers. Mr. Haroon had met with the City Manager and Code Enforcement and they had agreed it was a City problem, not Mr. Haroon's problem. He stated the permit for the parking lot had taken six weeks to be issued. Mr. Haroon added that the property would be demolished and a hotel built there. He recalled that Code Compliance Officer had recommended the fine be reduced to \$0.

Ms. Flynn reduced the lien amount to \$810 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE08101831**

1745 NW 18 ST

FORTY ONE YELLOW LLC

% KURT A STREY

Notice was mailed to the owner via first class mail on 5/25/16. AnnMarie Lopez, Clerk III, testified that the lien amount was \$188,400 and City hard costs totaled \$396. The applicant had offered \$100.

Mack Young, property manager, said they had taken ownership of the property on April 18 and they planned to renovate the home. He said they were aware of the liens when they purchased the property but no money had been put in escrow. Ms. Lopez said the property had been assessed for \$67,620. Mr. Young had paid \$58,000.

Ms. Flynn reduced the lien amount to \$20,000 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

The following 11 cases for the same owner were heard together:

**Case: CE10121294**

1511 NE 17 AVE  
DURHAM, DUSTY KEITH

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$2,165.43 and City hard costs totaled \$2,165.43. Total liens for all 11 cases: \$107,050 ; total hard costs: \$27,253.83 .

Doran Frai, real estate agent, said the bank had taken over the property in October 2015 and some of the cases dated to 2001, before the bank had control of the property. The property was currently under contract and the bank was offering \$2,000 for the fines plus all hard costs, which would be paid at closing.

Ms. Flynn reduced the lien amount for all eleven cases to \$52,253.83 payable within 90 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE11051952**

1511 NE 17 AVE  
DURHAM, DUSTY KEITH

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$285.50 and City hard costs totaled \$385.50.

**Case: CE11082709**

1511 NE 17 AVE  
DURHAM, DUSTY KEITH

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$244 and City hard costs totaled \$244.

**Case: CE11100830**

1511 NE 17 AVE  
DURHAM, DUSTY KEITH

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$32,250 and City hard costs totaled \$1,454.

**Case: CE12110561**

1511 NE 17 AVE  
DURHAM, DUSTY KEITH

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$448 and City hard costs totaled \$448.

**Case: CE14111487**

1511 NE 17 AVE  
DURHAM, DUSTY KEITH

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$84,800 and City hard costs totaled \$350.

**Case: CE15021231**

1511 NE 17 AVE  
DURHAM, DUSTY KEITH

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$10,483.67 and City hard costs totaled \$10,483.67.

**Case: CE15061069**

1511 NE 17 AVE  
DURHAM, DUSTY KEITH

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$10,453.90 and City hard costs totaled \$10,453.90.

**Case: CE13111568**

1511 NE 17 AVE  
DURHAM, DUSTY KEITH

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$386.08 and City hard costs totaled \$386.08.

**Case: CE14051452**

1511 NE 17 AVE  
DURHAM, DUSTY KEITH

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$386.08 and City hard costs totaled \$386.08.

**Case: CE15041118**

1511 NE 17 AVE  
DURHAM, DUSTY KEITH

Notice was mailed to the owner via first class mail on 5/25/16. Stacey Gordon, Clerk III, testified that the lien amount was \$386.08 and City hard costs totaled \$386.08.

**Cases Complied**

The below listed cases were complied. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE16011459	CE16031483	CE16031375	CE16031378
CE16041003	CT16031462	CT16040092	CE16040215
CE16050236	CE16050252	CE16050269	CE16050273
CE16050281	CE16050396		

**Cases Rescheduled**

The below listed cases were rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE15121469      CE15100641

**Cases Closed**

The below listed cases were closed. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None

**Cases Withdrawn**

The below listed cases were withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE16011134	CE15120386	CE15070405	CE16010537
CE15121715	CE15120059	CE16010770	CE16011010
CE16010993	CE16011144	CE15061034	CE15090640

**Cases With No Service**

The below listed cases had no service. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None


**Respondent Non-Appearence**

Respondents for the below listed cases did not appear. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None

There being no further business, the hearing was adjourned at 12:43 P.M.

  
Special Magistrate

ATTEST.  
  
CLERK, SPECIAL MAGISTRATE

Minutes prepared by: J. Opperee, Prototype Services